

September 9, 2023

**MEMO ENDORSED**

**VIA ECF AND ELECTRONIC MAIL**

The Honorable Katherine Polk Failla  
United States District Court for the Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

**Re: *In re Tether and Bitfinex Crypto Asset Litigation*, 19-CV-09236 (KPF) – Letter Motion to Seal the Stipulation and [Proposed] Order Governing the Deposition of the Anonymous Trader Filed at Docket 439**

Dear Judge Failla,

We represent Plaintiffs in the above-referenced action. Plaintiffs submit this letter in advance of the Anonymous Trader's deposition, which is scheduled for Sunday, September 10, 2023, and intend to docket this submission at the earliest opportunity. Yesterday, the parties filed two copies of a Stipulation and [Proposed] Order Governing the Deposition of the Anonymous Trader (the "Stipulation"), one under seal and one with redactions to protect the Trader's personally identifying information, *see* Dkts. 438-1, 439-1. The Court granted the motion to seal and redact the Stipulation. Dkt. 441.

Yesterday, the Anonymous Trader requested that the redacted Stipulation filed at Docket 439-1 also be sealed in its entirety. *See* Dkt. 215. Plaintiffs do not oppose the Anonymous Trader's request. Yesterday, Plaintiffs' counsel asked counsel for all Defendants to inform Plaintiffs by 12 p.m. ET today if they objected to the Anonymous Trader's request, and none did so. Accordingly, Plaintiffs respectfully ask that the Court seal the redacted Stipulation at Docket 439-1.

Respectfully submitted,

/s/ Andrew R. Dunlap

Philippe Z. Selendy  
Andrew R. Dunlap  
Oscar Shine  
Laura M. King  
SELENDY GAY ELSBERG PLLC  
1290 Sixth Avenue  
New York, NY 10104  
pselendy@selendygay.com  
adunlap@selendygay.com  
oshine@selendygay.com  
lking@selendygay.com

/s/ Todd M. Schneider

Todd M. Schneider (*pro hac vice*)  
Matthew S. Weiler (*pro hac vice*)  
Mahzad K. Hite (*pro hac vice*)  
SCHNEIDER WALLACE COTTRELL  
KONECKY LLP  
2000 Powell Street, Suite 1400  
Emeryville, CA 94608  
tschneider@schneiderwallace.com  
mweiler@schneiderwallace.com  
mhite@schneiderwallace.com

*Interim Lead Counsel and Attorneys for  
Plaintiffs and the Proposed Class*

cc: All Counsel of Record (via ECF)

Application GRANTED. The Clerk of Court is directed to maintain docket entry 439-1 under seal, viewable to the Court and the parties only. Pursuant to Plaintiffs' separate application (Dkt. No. 432), the Clerk of Court is further directed to maintain docket entry 433 under seal, viewable to the Court and the parties only.

The Clerk of Court is directed to terminate the pending motions at docket numbers 432 and 444.

Dated: September 11, 2023  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE